

7. (Amended) An apparatus for creating a local information label, the local information label comprising a plurality of category labels which identify categories of program content, the apparatus comprising:

means for providing information to a user which describes each of the category labels;

means for prompting the user to input a value for each of the category labels in response to the provided information; [and]

means for forming the local information label based on the input values;

means for receiving a program which includes a transmitted information label having a first category label which identifies a program content and a second category label which identifies a program theme on a frame-specific basis; and

means for comparing the local information label and the transmitted information label.

27. (Amended) A method of forming a local information label, the local information label comprising at least one local category label which identifies a category of program content, said at least one local category label having an associated value which identifies an acceptable level of program content, the method comprising the steps of:

presenting a program to a user;

presenting to the user a representation of a transmitted category label having a value which identifies the content of the program;

receiving an indication from the user that the content of the program is at least one of unacceptable and acceptable;

modifying the value associated with the local category label based on the received indication from the user that the content of the program is at least one of unacceptable and acceptable; and

forming the local information label based on the modified value associated with the local category label.

30. (Amended) An apparatus for forming a local information label, the local information label comprising at least one local category label which identifies a category

of program content, said at least one local category label having an associated value which identifies an acceptable level of program content, the apparatus comprising:

means for presenting a program to a user;

means for receiving an indication from the user that the content of the program is at least one of unacceptable and acceptable;

means for modifying the value associated with the local category label based on the received indication from the user that the content of the program is at least one of unacceptable or acceptable; and

means for forming the local information label based on the modified value associated with the local category label.

34. (Amended) A method for scheduling an advertisement during a program, the program having a program information label which rates the instantaneous content of the program at at least two levels, the method comprising the steps of:

scanning the program information label to ascertain the instantaneous content level of the program over the duration of the program; [and]

determining one of a plurality of advertisements to be run during said program based upon the instantaneous content level of the program; and

transmitting [the] said one advertisement at a time based on the instantaneous content level of the program information label.

Please add the following new claims:

38. (Newly Added) In an information access system, a method for creating a local information label for use in controlling access to information which has associated therewith an information label related to the content of the information, the method comprising the steps of:

providing to a user a plurality of category labels each identified by a standardized description of a particular type of information content including at least one of violence, sex, and foul language;

prompting the user to input a value into the information access system for each of the category labels; and

creating a local information label based upon each of the category labels in response to the input values.

39. (Newly Added) The method of claim 38 wherein the information content includes subcategories of at least violence and sex.

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40. (Newly Added) The method of claim 38 wherein the information access system stores the local information label and wherein the information access system receives information for access by the user, the received information including an associated information content label which varies as the content of the information varies, and including the step of comparing the local information label with the associated information content label to selectively control access to the received information.

41. (Newly Added) The method of claim 40 including the step of preventing access to received information which does not have an associated information content label which compares favorably with the local information label.

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42. (Newly Added) The method of claim 41 wherein the received information is a television program signal and the associated information content label is provided in each frame of the program signal.

#### REMARKS

Reconsideration and allowance of the present invention are presently requested. Claims 1-18 and 22-42 are currently pending in the application. Claims 19-21 have been cancelled while claims 38-42 have been added by the foregoing Amendment and feature a patentable embodiment of the current invention. Applicant notes with appreciation the indication that claim 36 contains allowable subject matter. While claim 37 has been indicated as being rejected on form PTOL-326, there is no further detail of the statute and references under which it is rejected. Applicant, therefore, presumes claim 37 was considered allowable by the Examiner as well.

On page 2 of the Office Action, claims 1-14, 19, 20 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,550,575 (West et al.). On page